

The response is on behalf of the above-named organisation - GATCO.

GATCO has read with interest the proposals to modify the NERL licence to support the establishment of UKADS as detailed in the consultation document CAP3121. We support in principle the cost pass-through approach to charging for the new service and hope that all airspace users will equally support this principle in order to ensure that airspace change is supported, as it is much needed and definitely overdue.

GATCO continues to harbour some concern over the additional burden of work that the establishment of UKADS will place both upon the licence holder (NERL) and the regulator (UK CAA) in terms of resources to ensure timely progress is made while maintaining fairness and without compromising safety. We can only hope that appropriate resources and expertise can be recruited and applied to afford timely establishment of UKADS and expeditious progress in Airspace Modernisation.

GATCO expressed an aspiration via the previous consultation to form part of the Advisory board; we note from CAP3121 and the referenced document "UKADS policy paper 25-2: Governance and engagement", that NERL will be entirely responsible for the constitution of this body, with only "light touch" regulation by the CAA/DfT:

The co-sponsors will require the UKADS to set the structure, membership and to publish ToRs for the UKADS Advisory Board. There should be a requirement in the licence for the UKADS to consult the co-sponsors on this structure, membership and ToRs. The co-sponsors would not have a veto on this structure but may wish to attend the UKADS Advisory Board as observers.

This is of some concern, given that the intention should presumably be to ensure independence of such governance from NERL itself.

It could perhaps be said that this is potentially contradictory to the statement in CAP3121:

As proposed in the joint consultation, the co-sponsor's view is that the licence should:
.....

(at point d) include a robust mechanism governing UKADS's relationship with stakeholders through an UKADS Advisory Board

We would therefore re-iterate that GATCO would welcome the opportunity to form part of the Advisory board, in order to represent a balanced view on behalf of the whole ATC community across the UK.

In a similar way, GATCO's EB feel that instructing NERL to be the administrator of the Airspace Design Support Fund could mean that units who are pressing for Airspace Change may be supported to a lesser extent than those within the NATS family.

GATCO does not undertake to make any comment on the specifics of the licence amendments as these are too numerous to list; we feel that it will be for the regulator to ensure that appropriate oversight is maintained to ensure safety and fairness to all airspace use stakeholders. Once again, we can only hope that lack of resource does not inhibit this process.